



New Zealand

Country Reports on Human Rights Practices - [2004](#)

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New Zealand is a parliamentary democracy, with executive authority vested in a 20-member Cabinet led by the Prime Minister. Queen Elizabeth II is Chief of State and is represented by the Governor General. The 120-member Parliament is elected in a mixed-member, proportional representation system, with 7 seats reserved for members of the native Maori population. Citizens periodically choose their representatives in free and fair multiparty elections. The most recent elections were held in 2002. The Labor Party won 52 parliamentary seats and formed a minority coalition government with the Progressive Coalition Party and support from the centrist United Future Party. A parliamentary election was scheduled for 2005. The judiciary is independent.

The Minister of Police oversees the national police. The civilian authorities maintained effective control of the security forces. A few members of the police committed isolated human rights abuses.

The country has a market-based, mixed economy. As of June, the population was approximately 4.1 million. Gross domestic product grew 4.4 percent during the fiscal year that ended June 30. Wages grew at 2.3 percent over the fiscal year and inflation at 2.4 percent. An appreciating exchange rate hurt the trade sector; however, rising world commodity prices contributed to strong growth in export volumes. Government social programs offered substantial benefits to disadvantaged persons.

The Government generally respected the human rights of its citizens, and the law and judiciary provide effective means of addressing individual instances of abuse. The Government generally respected the human rights of citizens living in its territories of Tokelau, Niue, and the Cook Islands.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

In August, police shot and killed a man who had attacked his wife and police officers with a knife. This was the first fatal killing of a suspect in more than 4 years. In December, a homicide investigation found that the shooting was justified and reasonable. A Police Complaints Authority investigation was ongoing at year's end.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and the Government generally respected these prohibitions in practice.

During the year, there were some complaints that individual members of the police committed abuses. The Independent Police Complaints Authority handled complaints of police abuse, ranging from use of abusive language to allegations of complicity in deaths.

In June, Parliament passed a new Corrections Act, whose provisions were scheduled to come into force in mid-2005. The objectives of the act were to eliminate private management of prisons, establish individual management plans for prisoners, and make prisoners' minimum entitlements more consistent with U.N. standards.

Prison conditions generally met international standards, and the Government permitted visits by human rights observers. Prison overcrowding was a problem during the year. In response, the Government used double bunking at prisons, reopened a previously closed unit at Tongariro Prison, converted male units for use by female inmates, and used police and court cells. In November, the Government approved funding for additional construction on existing prison sites that would add 213 beds to the country's prison capacity over the next 2 years. As of June 30, the male inmate population was 6,177, and total prison bed capacity was 6,173; the female inmate population was 378, and the total bed capacity was 380.

Maori made up 15 percent of the general population but were 49.5 percent of the prison population as of November. The Government sought to reduce Maori recidivism through special programs to integrate Maori cultural values into the rehabilitation program (see Section 5).

In the 12-month period ending June 30, there were 3 serious assaults on staff by inmates and 30 assaults of inmates on other inmates. During the same period, there were 15 recorded deaths in custody, including 8 assumed suicides and 1 assumed homicide.

In December, the Government released the result of an investigation begun in 2003 by the State Services Commission into the use of excessive force by the Canterbury Prison Emergency Response Unit, also known as the "goon squad." The report found that failings of management in the Corrections Department allowed the unit to develop an inappropriate militaristic culture. The Corrections Department disciplined most individuals involved with the unit, and the Government declared that it would review institutional changes to avoid similar incidents. The Government has appealed civil suits brought by affected prisoners that awarded compensatory damages. The appeals were ongoing at year's end.

In October 2003, nine inmates of Auckland's Paremoremo Prison Behavioral Management Regime (BMR) brought a case against the Department of Corrections, alleging that the practices employed by the BMR, a special unit that isolates prisoners who pose a risk to staff or other inmates, constituted torture. In September, the Wellington High Court awarded compensation of \$91,000 (\$NZ130,000) to five of the claimants. The case was being appealed at year's end.

Male and female inmates normally were housed separately. Pretrial detainees were housed separately from convicted prisoners to the extent possible.

Juvenile detainees come under the jurisdiction of Child, Youth, and Family Services (CYFS) rather than the police. CYFS operated 90 beds for juveniles serving residential orders and detainees; an additional 6 CYF beds were available for juveniles sentenced to imprisonment for indictable offenses by an adult court.

In June, a provision expired that had allowed juveniles age 15 or older accused of serious offenses to be remanded into an adult penal institution. In the 15-month period over which the provision was in effect, young persons spent 1,014 nights in police cells rather than in youth justice residences.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions. The chief executive of the Department of Corrections may order a 14-day extension to detention in a police jail; further extensions must be authorized by a Visiting Justice.

The Police Commissioner, appointed by the Governor General, is the chief executive of the police force and reports to the Minister of Police. A Board of Commissioners, consisting of the Commissioner and two Deputy Commissioners, is responsible for high-level leadership and makes decisions on police strategy, governance, and performance management. The police are organized into 12 districts. There are three operational branches: General Duties, Criminal Investigation, and Traffic Safety. Allegations of corruption or impunity are referred to the Independent Police Complaints Authority, which can refer cases directly to Parliament. The police generally did not have problems with corruption and impunity.

Police may arrest a suspect without a warrant if they have reasonable cause. Police also may request a warrant from a District Court judge. Police may enter premises without a warrant to arrest a person if they reasonably suspect the person of committing a crime on the premises, or if they have found the person committing an offense and are in pursuit. Police must inform arrested persons immediately of their legal rights and the grounds of their arrest.

After a suspect has been arrested and charged, police have the power to release the person on bail until the first court appearance. That bail comes to an end at the first court appearance and is distinct from court bail. Court bail is granted unless there is good reason to believe that the suspect will flee or is likely to be a danger to the community. Police bail is not normally granted for more serious offences such as serious assault or burglary. Attorneys and families were granted prompt access to detainees.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the Government generally respected this provision in practice.

On July 1, the Supreme Court replaced the Privy Council in London as the country's highest court of appeal. The Supreme Court is composed of the Chief Justice and four other judges appointed by the Governor General. Below the new Supreme Court is the Court of Appeal; it hears appeals from the High Court, which has original jurisdiction for major crimes and important civil claims. The High Court also hears appeals from lower courts and reviews administrative actions. Remaining original jurisdiction rests with the 66 district courts. Special courts include the Employment Court, family courts, youth courts, the Maori Land Court, the Maori Appellate Court, and the Environment Court. The country's military forces have their own court system, with a Courts Martial and a Courts Martial Appeals Court.

The law provides for the right to a fair trial and affords defendants the rights found in other common-law jurisdictions. An independent judiciary generally enforced these rights.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the Government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the Government generally respected these rights in practice and did not restrict academic freedom. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press.

The Government did not restrict Internet access.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the Government generally respected these rights in practice.

c. Freedom of Religion

The law provides for freedom of religion, and the Government generally respected this right in practice.

In August and September, headstones of Jewish graves were destroyed or desecrated in and around Wellington and Wanganui. In one of the incidents in the Wellington area, a Jewish prayer house was burned down. The Government condemned these actions, and an investigation was ongoing at year's end. In late September, racist letters, some containing pork, were mailed to members of Wellington's Somali community and other Muslims. The heads of the city's Muslim and Jewish communities were quick to proclaim their belief that both the anti-Semitic and anti-Muslim attacks were the work of someone outside their communities who wished to incite racial tension between the two groups. In October, a person was charged with sending the letters. The government-funded Human Rights Commission actively promoted tolerance and antibias on the issue.

For a more detailed discussion, see the [2004 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the Government generally respected them in practice.

There is no statutory authority for imposing a sentence of exile, and the Government did not practice forced exile. The Bill of Rights provides every citizen the right to enter the country.

The law provides for the granting of asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol, and the Government has established a system for providing protection to refugees. In practice, the Government provided protection against refoulement, the return of persons to a country where they feared persecution, and granted refugee status or asylum. The Government cooperated with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government also provided protection to certain individuals who fall outside of the definition of the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol. Under its refugee quota, the Government resettles up to 750 UNHCR-approved refugees per year. In the 12-month period that ended July 30, the Government approved 247 persons.

During the year, Amnesty International and other human rights groups expressed concern about the continued detention of Ahmed Zaoui, a former member of the Algerian Parliament who traveled to the country from Malaysia in 2002 on a false

passport and requested asylum. In August 2003, the Refugee Status Appeals Authority (RSAA) concluded that Zaoui met the definition of a refugee. However, the Security Intelligence Service had issued a Security Risk Certificate in March 2003 declaring that Zaoui was a threat to national security, a claim the RSAA disputed. Following 10 months in solitary confinement, Zaoui was transferred to Auckland Central Remand Prison, where he remained in detention until November, when the Supreme Court judged that he was eligible for bail. In December, Zaoui was released on bail while the Inspector-General of Intelligence and Security evaluated Zaoui's risk status, a process that was expected to take 6 to 12 months.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. Parliamentarians are elected under a mixed-member, proportional representation system. In the most recent general elections, held in 2002, the Labor Party won 52 of 120 parliamentary seats and formed a minority government with the Progressive Coalition Party (2 seats) and support from the centrist United Future Party (8 seats); Helen Clark remained Prime Minister. The Labor Party also had a cooperation agreement with the Green Party (9 seats). Three other political parties were represented in Parliament: The National Party (27 seats), New Zealand First (13 seats), and the ACT party (8 seats). In June, Labor Member of Parliament Tariana Turia resigned, cofounded the Maori Party, and won her seat back in a July by-election.

The 1982 Official Information Act and the 1987 Local Government Official Information and Meetings Act Government provide for public access to government information, to be provided within 20 working days of a request. Information must be made available unless a good reason, such as concern for national security, exists for not doing so. The requestor must be provided with an estimate of any fees before the information is provided.

Women participated fully in political life. There were 34 women in the 120-seat Parliament. There were 6 women (including the Prime Minister) on the Executive Council, which comprises 25 ministers (19 within the Cabinet and 6 outside the Cabinet). The Cabinet included five women. The Prime Minister, the Attorney General, and the Chief Justice of the Supreme Court were women; the Governor General, who represents the Queen, also was a woman. There were 2 women in the 25-seat Parliament of the dependent territory of the Cook Islands and 2 women in the 20 seat Parliament of the dependent territory of Niue.

Seven seats in Parliament are reserved for persons of Maori ancestry. The number of Maori seats is adjusted every 5 years, based on the number of persons of Maori ancestry who register to vote on the Maori electoral roll.

There were 20 Maori in Parliament, including the 7 reserved seats, 3 members of Pacific Island origin, and 1 member each of East and South Asian heritage. The Cabinet included at least five members with Maori ancestry.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

The Human Rights Commission (HRC), a U.N.-accredited national human rights institution, investigated complaints of human rights violations and unlawful discrimination and acted as a conciliator. The HRC, which presents an annual report to Parliament, is funded by the Government but acts independently.

In September, the HRC issued a comprehensive report that assessed the country's compliance with international and domestic standards in a range of areas. The report found that while human rights standards generally were high, children and young persons were most at risk for human rights abuse.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination on the basis of race, sex, religion, disability, and national or ethnic origin, and the Government actively enforced it.

Women

Violence against women affected all socioeconomic groups. According to a National Survey of Crime Victims conducted in 2001 and released in 2003, an estimated 32 percent of Maori, 17 percent of persons of European ancestry, and 12 percent of Pacific Islanders reported violent abuse by a heterosexual partner at least once in their lifetime; these figures included both men and women. One in four of the women included in the survey reported experiencing violent behavior from a partner at least once. In the year ending June 30, there were 2,228 convictions involving assault by a male on a female. Of these convictions, 52 percent involved Maori men, 30 percent men of European ancestry, and 12 percent Pacific Islanders. Although Maori women and children constituted less than 10 percent of the population, approximately half the women and children who used the National Council of Independent Women's Refuges were Maori.

The Government continued its "Te Rito" program, a national strategy to address all forms and degrees of domestic violence. The Government partially funded women's shelters, rape crisis centers, sexual abuse counseling, family violence networks, and violence prevention services.

The law penalizes spousal rape. During the year, the Government prosecuted and convicted a small number of persons for spousal rape or unlawful sexual connection with a spouse. Rape crisis groups existed throughout the country and included centers focusing specifically on Maori and Pacific Islanders.

It is illegal to perform female genital mutilation (FGM) or to remove a child from the country to carry out the procedure; violations of the law are punishable by up to 7 years in prison. The Government funded a national FGM education program. There were no FGM cases reported during the year.

The 2003 Prostitution Reform Act legalized prostitution. The legislation sets a minimum age of 18 to work in the sex industry, gives prostitutes the same workplace protections as other industries, and provides for a licensing regime for brothels. The law also eliminates a client's defense of claiming ignorance that a sex worker was less than 18, and it extends culpability to any person who receives financial gain from an act involving an underage sex worker. The law prohibits sex tourism, and citizens who commit child sex offenses overseas can be prosecuted in New Zealand courts. During the year, there were no reports of abuse or of the involuntary detention of women involved in prostitution. There were reports that some foreign commercial sex workers had their passports withheld by employers until bonds were repaid (see Section 5, Trafficking, and Section 6.c.).

The law prohibits sexual harassment. The HRC offered sexual harassment prevention training.

The Ministry of Women's Affairs addresses problems of discrimination and gender equality, and there is a Minister of Women's Affairs in the Cabinet. While the law prohibits discrimination in employment and in rates of pay for equal or similar work, the Government acknowledged that a gender earnings gap persisted in practice. In 2003, the Ministry of Women's Affairs undertook a pay equity project with the Department of Labor, and in April it provided recommendations to the Government. As a result, the Government began the development of audit and gender-neutral job evaluation tools, created processes for remedial settlements of pay equity claims, and set up a unit dedicated to this issue within the Department of Labor.

Children

The law provides specific safeguards for children's rights and protection. The Government demonstrated its commitment to children's rights and welfare through its well-funded systems of public education and medical care. The Government provides 12 weeks of government-funded, paid parental leave to care for children born after July 2002. The office of the Commissioner for Children played a key role in monitoring violence and abuse against children.

The law provides for compulsory, free, and universal education through age 16, and the Government effectively enforced the law. The Government provided free health care to all children under age 5.

Child abuse continued to be of concern to the Government. According to a September 2003 UNICEF report, from 1994 to 1998, there were 1.2 deaths from physical abuse per 100,000 children. From July 2001 to June 2002, 6,892 children were assessed as abused or neglected. This resulted in a child abuse rate of 6.9 children for every 1,000 children under 17, a slight increase from the July 2000-June 2001 statistic of 6.7 children per 1,000. During the same period, there were approximately 2,026 reported cases of physical abuse, 1,262 cases of sexual abuse, and 2,121 cases of severe emotional abuse of children. Ten Maori children per 1,000 were reported abused or neglected, compared with 6 per 1,000 for non-Maori children. The Government promoted information sharing between the courts and health and child protection agencies to identify children at risk of abuse. During the 7-month period ending June 30, there were 13,953 applications to Family Court under the Guardianship Act and 4,778 applications under the Domestic Violence Act. There were 193 convictions involving assaults on children in the year ending June 30.

Commercial sexual exploitation of children remained a problem (see Section 5, Trafficking).

The Department of Internal Affairs' Censorship Compliance Unit actively policed Internet child sex abuse images and prosecuted offenders. The Government maintains extraterritorial jurisdiction over child sex offenses committed by the country's citizens abroad.

Trafficking in Persons

The law prohibits trafficking in persons, and there were no reports that persons were trafficked to or from the country. No new cases of internationally trafficked persons have been brought to the attention of the authorities since 2001. There was no national plan or coordinated government response to deal with the problem of trafficking. The Government has signed the relevant international instruments dealing with trafficking and has adopted tough domestic legislation to criminalize trafficking with penalties of up to 20 years in prison and fines of up to \$321,337 (\$NZ 500,000). Laws against child sexual exploitation and slavery carry penalties of up to 14 years in prison.

Trafficking in children to work in the sex industry was a problem. The Government worked with nongovernmental organizations (NGOs) to combat trafficking in children. The Government had a National Plan of Action against the Commercial Exploitation of Children developed in concert with NGOs. The Prostitution Reform Act made it illegal to have sex with an individual under 18 years of age. Assistance programs for victims of debt bondage were implemented through the HRC, the Mayor of Auckland, the police, the Immigration Service, and NGOs, including ECPAT NZ, the Prostitutes Collective, and the Shakti Migrant Services Trust's Women's Refuge. Other initiatives included distribution of pamphlets about the unacceptability of commercial sexual exploitation of children and peer counseling programs.

The country's main urban areas were the primary destination for trafficked persons. The HRC worked effectively with the Government and NGOs to ensure that trafficked individuals were treated as victims rather than criminals.

Shakti Migrant Services Trust, an antitrafficking NGO, provided reports of prostitution and abuse resulting from the immigration of Indian women for arranged marriages. The Trust reported that some of these women were forced to work long hours, treated as virtual slaves, and in some cases forced into prostitution.

The Government provided funding for health services for trafficked persons, for the HRC to coordinate antitrafficking activities, and for the New Zealand Prostitutes Collective to provide peer counseling and assistance to trafficked persons. The major urban areas had support networks for trafficked individuals, including mechanisms to provide safehouses and repatriation.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to places and facilities, and the provision of goods, services, and accommodation. Compliance with access laws varied. The Government is prohibited from discrimination on the basis of disability, mental or physical, unless such discrimination can be "demonstrably justified." The HRC reported that during the year, it received more complaints of discrimination based on disability than for any other type of discrimination. In September, the HRC issued a report that concluded persons with disabilities were more likely to experience human rights abuses than the general population.

During the year, both the HRC and the Mental Health Commission continued to address mental health issues in their antidiscrimination efforts.

National/Racial/Ethnic Minorities

Pacific Islanders, who made up 6.5 percent of the population, experienced societal discrimination and accounted for approximately 10 percent of prison inmates. The Department of Corrections continued its strategy to reduce the crime rate among Pacific Islanders through the use of culturally based techniques. Asians, who made up less than 5 percent of the population, also reported discrimination.

Indigenous People

Approximately 15 percent of the population claimed at least one ancestor from the country's indigenous Maori or Moriori minorities. The law prohibits discrimination against the indigenous population; however, there was a continuing pattern of disproportionate numbers of Maori on unemployment and welfare rolls, in prison, among school dropouts, in infant mortality statistics, and among single-parent households. In February, the Government created the position of Coordinating Minister for Race Relations. The Minister was tasked with reviewing all government policies and programs to ensure that they were directed at persons in need, without racial bias. The review was ongoing at year's end.

Maori inmates continued to constitute half the prison population. The Government addressed the problem of recidivism among Maori through Maori focus units and special cultural assessments of Maori offenders.

Government policy recognized a special role for indigenous people and their traditional values and customs, including cultural and environmental issues that affected commercial development. The Ministry of Maori Development, in cooperation with several Maori NGOs, sought to improve the status of indigenous people. A special tribunal established in 1975 continued to hear Maori tribal claims to land and other natural resources stemming from the 1840 Treaty of Waitangi.

On November 19, legislation was enacted that regulates ownership of the foreshore (the land between high and low tide) and the seabed. The legislation was the focus of protests by Maori groups asserting customary title to the land and by non-Maori groups opposing such claims. Concerns over the impact of proposed legislation on Maori customary rights resulted in the resignation of Labor M.P. Tariana Turia, who then helped to found the Maori Party (see Section 3).

Section 6 Worker Rights

a. The Right of Association

The law provides workers the right to form and join organizations of their choice without previous authorization or excessive requirements, and workers exercised this right in practice. The principal labor organization was the Council of Trade Unions, a federation that included unions representing various trades and locations. Nearly all unionized workers were members of the council. A few small, independent labor unions also existed. As of March 1, unions represented approximately 22 percent of all wage earners.

Labor organization was rudimentary in the territory of Tokelau (population 1,500) and in the Freely Associated State of Niue (population 1,700). In the more developed Associated State of the Cook Islands (population 19,000), most workers in the public sector, the major employer, belonged to the Cook Islands Workers' Association, an independent local union. Industrial relations in the Cook Islands are governed by a simplified version of national legislation.

The law prohibits uniformed members of the armed forces from organizing unions and bargaining collectively. Sworn police officers (which includes all uniformed and plainclothes police but excludes clerical and support staff) are barred from striking or taking any form of industrial action. However, police have freedom of association and the right to organize and to bargain collectively. Disputes that cannot be settled by negotiation between the Police Association and management are subject to compulsory, final-offer arbitration.

b. The Right to Organize and Bargain Collectively

The law provides for the right of workers to organize and contract collectively, and workers exercised this right in practice.

The Employment Relations Act (ERA) governs industrial relations and promotes collective bargaining. In 2003, the Government conducted a technical review of ERA legislation, prompted by the ratification by the Parliament of ILO Convention 98 on the right to organize and bargain collectively. In October, a revised ERA became law that included the extension of employee collective bargaining rights, an expansion of the definition of good faith, and new problem solving processes. The changes became effective December 1.

There are no provisions of law allowing lesser labor protections in export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children. Inspection and legal penalties ensured respect for provisions against forced labor. There were no reports of the involuntary detention of women involved in prostitution; however, there were reports that some foreign commercial sex workers had their passports held by employers until bonds were repaid.

d. Prohibition of Child Labor and Minimum Age for Employment

Department of Labor inspectors effectively enforced a ban on the employment of children under the age of 15 in manufacturing, mining, and forestry. Children under the age of 16 may not work between the hours of 10 p.m. and 6 a.m. By law, children enrolled in school may not be employed, even outside school hours, if such employment would interfere with their education.

There were reports of children involved in the commercial sex industry (see Section 5).

e. Acceptable Conditions of Work

A 40-hour workweek is traditional. There are legal limits regarding hours worked. There is premium pay for overtime work. The law does not provide specifically for a 24-hour rest period weekly; however, management and labor have accepted the practice, and it was the norm. The law provides for a minimum 3-week annual paid vacation and 11 paid public holidays. The minimum wage was approximately \$5.46 (\$NZ8.50). Combined with other regularly provided entitlements and welfare benefits for low-income earners, this wage generally was adequate to provide a decent standard of living for a worker and family. There was a separate youth minimum wage of approximately \$4.37 (\$NZ6.80) for younger workers (ages 16 to 17). A majority of the work force earned more than the minimum wage.

Extensive laws and regulations govern health and safety issues. Under these rules, employers are obliged to provide a safe and healthy work environment, and employees are responsible for their own safety and health, as well as ensuring that their actions do not harm others.

Workers have the legal right to strike over health and safety issues, as well as the right to withdraw from a dangerous work situation without jeopardy to continued employment. Department of Labor inspectors effectively enforced safety and health rules, and they had the power to shut down equipment if necessary. The Department of Labor normally investigated reports of unsafe or unhealthy working conditions within 24 hours of notification.